

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

SUPERIOR INTEGRATED SOLUTIONS, INC.)	
)	
Plaintiff,)	Case No. 3:09-cv-314
)	
v.)	Judge Thomas M. Rose
)	
THE REYNOLDS AND REYNOLDS)	Magistrate Judge Sharon L.
COMPANY)	Ovington
Defendant)	
)	

**PLAINTIFF'S URGENT MOTION
FOR AN ORDER TO SHOW CAUSE**

Plaintiff Superior Integrated Solutions, Inc. ("SIS"), by its attorneys and pursuant to Local Rule 7.1(b)(3), respectfully moves this Court for an immediate order directing defendant Reynolds and Reynolds Company ("Reynolds") to show cause why it should not be held in contempt for violating this Court's Order dated September 23, 2009 ("Order"), this Court's clarification of that Order dated September 25, 2009 ("Clarification") and the express representations made by Reynolds to this Court on September 21, 2009 and in its Motion for Clarification dated September 24, 2009 ("Representations").

The Order, the Clarification and the Representations of counsel prohibit Reynolds from removing SIS product from dealers' DMS without the consent of the dealers. On or about September 30, 2009 and October 1, 2009, contrary to the Order, Clarification and the Representations, Reynolds in fact deleted or removed SIS' product from dealers' DMS. This has had the effect of preventing dealers from using other software programs

purchased by them for use in conjunction with their DMS. Reynolds has violated this Court's Order and Clarification and it should be ordered to show cause why it should not be held in contempt, and this Court should impose appropriate sanctions. A memorandum in support and the affidavit of Phillip Battista are filed contemporaneously with this motion, along with a proposed order.

October 1, 2009

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on October 1, 2009 a copy of foregoing Emergency Motion for an Order to Show Cause and accompanying Memorandum in Support and the Affidavit of Phillip Battista were filed electronically through the Court's Electronic Filing System. Parties may access this document through the Court's System. In addition, on September 16, 2009, the foregoing were served on counsel for defendant The Reynolds and Reynolds Company, as identified below, by electronic mail pursuant to the written agreement of the parties.

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